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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/615,833 07/10/2003 . Kenichi Suzuki		033294-010	8884		
7590 05/11/2004 BURNS, DOANE, SWECKER & MATHIS, L.L.P. P.O. Box 1404 Alexandria, VA 22313-1404			EXAMINER		
			NGUYEN, XUAN LAN T		
			ART UNIT	PAPER NUMBER	
			. 3683		

DATE MAILED: 05/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner			Applicati	ion No.	Applicant(s)	
Examiner Lan Nguyen 3683 368			10/615,8	333 · · · · · · · · · · · · · · · · · ·	SUZUKI ET AL.	\vee
The MALLING DATE of this communication appears on the cover sheet with the correspondence address → Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Evalueuser of imm may be available under the provision of 3 CFR 1.13(a). In no event, however, may a raphy be timely filled with risk (8) MONTH'S from the mailing date of this communication. Period with the statutory minimum of this (20) slaps will be considered break? If NO period for reply is specified under the movement adaptor period with a depth and ell-terpois (8) MONTH'S (10) slaps will be considered break? If NO period for reply is specified under the mailing date of this communication, even if the provision to become ABANDONED (35 till SC § 133). Any reply second by the Office dust then three membring date of this communication, even if the provision of th		Office Action Summary	Examine		Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>1</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.38(a). In no event, however, may a raphy be timely filed If the period for reply specified above, the maintum statutory period will apply and will expres SK (b) MONTHS from the mailing date of this communication for reply specified body. It is not period for reply specified body in the period reply apply date to become AbaNoDHO (30 LSC s, 1913). Any reply reached by the Status of the Sta			Lan Ngu	yen	3683	V
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of sime may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the periods of the may be available under the provisions of 3 CFR 1.13(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply switch in the set or extended period for reply with the station reply within the set or extended period for reply will by statute, clause the application to become ABANDONED (38 U.S.C. § 133). Any reply recorded by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any examined palant term adjustment. See 37 CFR 1.70(b). Status 1)		•				
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s)	Status					
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3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	Pape	er No(s)/Mail Date	PTO/SB/08)		atent Application (PTO-152	•

Application/Control Number: 10/615,833

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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Species A figure 2

Species B figure 5

• Species C figure 6

Species D figure 7

• Species E figure 10

• Species F figure 13

• Species G figure 14

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- 3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is 703-308-8347. The examiner can normally be reached on M-F, 8 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Zan Nguyen
Patent Examiner

A. U. 3683